

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES EDWARD COOPER

CIVIL CASE NO. 07-11351

Plaintiff,

v.

HONORABLE PAUL V. GADOLA
U.S. DISTRICT JUDGE

MASS TRANSPORTATION AUTHORITY,
JEFFERY JOHN SABIN, KENNETH
OLIVER, and STATE OF MICHIGAN,

Defendant.

/

ORDER DISMISSING CAUSE OF ACTION

On March 28, 2007, *pro se* Plaintiff James Edward Cooper filed a complaint and an application to proceed *in forma pauperis*. Plaintiff's complaint set forth various allegations stemming from the failure of a public transportation bus to pick him up. The exact nature of Plaintiff's claims, and the law upon which they relied, were entirely unclear to the Court. Accordingly, on April 6, 2007, the Court issued an order to show cause, requiring Plaintiff to set forth in writing why the complaint failed to set forth a short and plain statement of demonstrating that Plaintiff was entitled to relief and set forth in writing why the complaint failed to state the grounds upon which this Court's jurisdiction depended. Plaintiff was ordered to show cause within ten days of the April 6, 2007 order. Plaintiff was further warned that "**Failure to comply with this order will result in dismissal**, pursuant to 28 U.S.C. § 1915(e)(2)(B)." Order to Show Cause, No. 07-11351 (Apr. 6, 2007)(emphasis in original). Plaintiff failed to file a response. Accordingly, the Court will now dismiss this cause of action.

Additionally, on or about April 30, 2007, the Court received an envelope from Plaintiff

containing a seven page handwritten letter, narrating various events that have befallen Plaintiff. The letter fails to respond to the Court's previous order and is, at best, only tangentially related to events described in the complaint. Even a liberal reading of the letter fails to substantiate any basis for the Court to construe the letter as either a pleading or a motion. *See Haines v. Kerner*, 404 U.S. 519, 520 (1972); *Hughes v. Rowe*, 449 U.S. 5, 10 (1980). More peculiarly, the envelope also contained various original documents including, but not limited to, Plaintiff's Michigan driver's license and birth certificate. Because the Court cannot ascertain the relevance of the any of the included documents, and because the Court is unable to construe the letter as a either a pleading or a motion, the documents will not be docketed but shall be returned to Plaintiff.

ACCORDINGLY, IT IS HEREBY ORDERED that this cause of action, **Case No. 07-11351**, is **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that the Clerk of the Court **RETURN** all documents received by the Court on or about April 30, 2007, to **James Cooper, 115 East Dartmouth St., Flint, MI 48505**.

SO ORDERED.

Dated: May 3, 2007

s/Paul V. Gadola

HONORABLE PAUL V. GADOLA
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that on May 3, 2007, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: _____ James Cooper _____.

s/Ruth A. Brissaud

Ruth A. Brissaud, Case Manager
(810) 341-7845